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10/750,003	12/30/2003	Ingo Zenz	6570P016	9941

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SAP/BLAKELY
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER
MORRISON, JAY A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)
	10/750,003	ZENZ, INGO
	Examiner	Art Unit
	Jay A. Morrison	2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 March 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-10,16-21,23-26 and 28-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-10,16-21,23-26 and 28-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Remarks

1. Claims 1-6,8-10,16-21,23-26,28-31 are pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/20/07 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claim 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by <u>Patrizio</u>

<u>et al.</u> ('<u>Patrizio</u>' hereinafter) (Patent Number 7,047,497).

        As per claim 29, <u>Patrizio</u> teaches

        A system comprising: (see abstract and background)

        a central storage node, the central storage node including a configuration data

structure, the configuration data structure comprising a global configuration module and

a sub-cluster configuration module. (hierarchical map of objects including clusters node

and interrelations, column 3, lines 38-44)

        As per claim 30, <u>Patrizio</u> teaches

        the global configuration module comprising a dispatcher configuration module

and a server configuration module. (column 3, lines 35-40)

        As per claim 31, <u>Patrizio</u> teaches

        the sub-cluster configuration module comprising a local configuration information

associated with a sub-cluster, the local configuration information comprising a

dispatcher module and a plurality of server modules, the dispatcher module including

configuration information associated with a dispatcher node of the sub-cluster, and each

of the plurality of server modules including configuration information associated with

each server node of the sub-cluster. (column 3, lines 52-62)

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-2,16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Patrizio et

al. ('Patrizio' hereinafter) (Patent Number 7,047,497).

As per claim 1, Rubert teaches

A property sheet system comprising: (see abstract and background)

"including a plurality of property names, a plurality of non-modifiable parameters

and a plurality of modifiable parameters, wherein each respective property name

included in the property sheet data structure is associated with a non-modifiable

parameter and optionally a modifiable parameter; and a user interface to display

contents of the property sheet data structure", "the user interface to receive inputs to

select and modify a parameter associated with the property sheet data structure"

(column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "a configuration module representing

configuration information of a node within a clustered system, the configuration module

comprising any one of a binary file, the binary file to map a key name to a set of data, a

sub-configuration entry comprising an object of the code, or a name-value pair, the

name-value pair to map a key name to an object, and a property sheet data structure

representing configuration information associated with at least one component within

the clustered system", "to allow centralized management of the clustered system".

However, Patrizio discloses "a configuration module representing configuration

information of a node within a clustered system, the configuration module comprising

any one of a binary file, the binary file to map a key name to a set of data, a sub-

configuration entry comprising an object of the code, or a name-value pair, the name-

value pair to map a key name to an object, and a property sheet data structure

representing configuration information associated with at least one component within

the clustered system", "to allow centralized management of the clustered system"

(selecting node in cluster where the node table is populated, column 4, lines 30-50).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Patrizio because using the steps of "a configuration module representing

configuration information of a node within a clustered system, the configuration module

comprising any one of a binary file, the binary file to map a key name to a set of data, a

sub-configuration entry comprising an object of the code, or a name-value pair, the

name-value pair to map a key name to an object, and a property sheet data structure

representing configuration information associated with at least one component within

the clustered system", "to allow centralized management of the clustered system" would

have given those skilled in the art the tools to improve the invention by making

information available and configurable centrally. This gives the user the advantage of

having a simple way to configure components.

As per claim 2,

Rubert does not explicitly indicate "the property sheet data structure is

associated with a plurality of components contained within a clustered system".

However, Patrizio discloses "the property sheet data structure is associated with

a plurality of components contained within a clustered system" (column 4, lines 25-30).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Patrizio because using the steps of "the property sheet data structure is associated

with a plurality of components contained within a clustered system" would have given

those skilled in the art the tools to improve the invention by making information available

and configurable centrally. This gives the user the advantage of having a simple way to

configure components.

As per claim 16, Rubert teaches

A method comprising:" (see abstract and background)

"displaying contents of the property sheet, the property sheet including non-

modifiable parameters and modifiable parameters; and receiving input to select and

modify a parameter of the displayed property sheet" (column 5, line 55 through column

6, line 6).

Rubert does not explicitly indicate "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster".

However, Patrizio discloses "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster" (selecting node in cluster where the node table is populated, column 4, lines 30-50);

It would have been obvious to one of ordinary skill in the art to combine Rubert and Patrizio because using the steps of "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 17, Rubert teaches

"the displaying contents of a property sheet comprises: providing a number of entry rows; displaying names of corresponding properties in a first column of each entry row; displaying configuration parameters associated with corresponding properties in a

second column of each entry row; and indicating if a configuration parameter displayed

in the second column is a default parameter or a custom parameter" (column 5, line 55

through column 6, line 6).

As per claim 18,

Rubert does not explicitly indicate "the property sheet is included in a

configuration data structure containing configuration information associated with the

cluster".

However, Patrizio discloses "the property sheet is included in a configuration

data structure containing configuration information associated with the cluster" (column

4, lines 25-30).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Patrizio because using the steps of "the property sheet is included in a

configuration data structure containing configuration information associated with the

cluster" would have given those skilled in the art the tools to improve the invention by

making information available and configurable centrally. This gives the user the

advantage of having a simple way to configure components.

7.   Claims 6,8-10,16-19,26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view

of Gudjonsson et al. ('Gudjonsson' hereinafter) (Patent Number 6,564,261).

As per claim 6, <u>Rubert</u> teaches

"A method comprising:" (see abstract and background)

"providing a property sheet", "the property sheet including a plurality of

configuration parameters, each parameter associated with a name, a default parameter

and a custom parameter", "default parameters" (column 5, line 55 through column 6,

line 6);

<u>Rubert</u> does not explicitly indicate "associated with a component contained within

a clustered system", "replacing the component contained within the clustered system;

and automatically updating the ... parameters included in the property sheet with a

different default parameter with a corresponding property of a replacement component

in response to replacing the component".

However, <u>Gudjonsson</u> discloses "associated with a component contained within

a clustered system", "replacing the component contained within the clustered system;

and automatically updating the ... parameters included in the property sheet with a

different default parameter with a corresponding property of a replacement component

in response to replacing the component" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>

and <u>Gudjonsson</u> because using the steps of "associated with a component contained

within a clustered system", "replacing the component contained within the clustered

system; and automatically updating the ... parameters included in the property sheet

with a different default parameter with a corresponding property of a replacement

component in response to replacing the component" would have given those skilled in

the art the tools to improve the invention by making information available and

configurable centrally. This gives the user the advantage of having a simple way to

configure components.

As per claim 8, Rubert teaches

"determining if a custom parameter included in the property sheet is valid with the

replaced component" (column 5, line 55 through column 6, line 6).

As per claim 9, Rubert teaches

"deselecting the custom parameter in response to the custom parameter being

not valid with the replaced component" (column 6, lines 1-6).

As per claim 10,

Rubert does not explicitly indicate "the cluster includes a plurality of instances".

However, Gudjonsson discloses "the cluster includes a plurality of instances"

(plurality of clusters, column 7, lines 35-40).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Gudjonsson because using the steps of "the cluster includes a plurality of

instances" would have given those skilled in the art the tools to improve the invention by

making information available and configurable centrally. This gives the user the

advantage of having a simple way to configure components.

8.   Claims 19,26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Gudjonsson et

al. ('Gudjonsson' hereinafter) (Patent Number 6,564,261) and further in view of Block et

al. ('Block' hereinafter) (Patent Number 6,983,324).

        As per claim 19, Rubert teaches

        "A system comprising:" (see abstract and background)

        "means for displaying contents of a property sheet", "the property sheet having a

plurality of properties, wherein each of said properties is associated with a property

name, a non-modifiable default parameter and a custom parameter; and means for

receiving input to select and modify a parameter associated with a property included in

the property sheet" (column 5, line 55 through column 6, line 6).

        Rubert does not explicitly indicate "containing configuration information

associated with a component contained within a clustered system".

        However, Gudjonsson discloses "containing configuration information associated

with a component contained within a clustered system" (column 18, lines 24-28).

        It would have been obvious to one of ordinary skill in the art to combine Rubert

and Gudjonsson because using the steps of "containing configuration information

associated with a component contained within a clustered system" would have given

those skilled in the art the tools to improve the invention by making information available

and configurable centrally. This gives the user the advantage of having a simple way to

configure components.

Neither <u>Rubert</u> nor <u>Gudjonsson</u> explicitly indicate "and means for selectively

updating the parameters included in the property sheet in response to replacing a

component."

However, <u>Block</u> discloses "and means for selectively updating the parameters

included in the property sheet in response to replacing a component" (change cluster

resource services and parameter modifation, column 7, lines 52-62).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>,

<u>Gudjonsson</u> and <u>Block</u> because using the steps of "and means for selectively updating

the parameters included in the property sheet in response to replacing a component"

would have given those skilled in the art the tools to improve the invention by allowing

reconfiguration without taking a node offline. This gives the user the advantage of

having more uptime of resources.

As per claim 26, <u>Rubert</u> teaches

"A machine-readable medium that provides instructions, which when executed by

a processor cause the processor to perform operations comprising:" (see abstract and

background)

"displaying contents of a property sheet data structure", "the property sheet data

structure including a plurality of property names, a plurality of non-modifiable default

parameters and a plurality of custom parameters; receiving input to select a custom

parameter included in the property sheet data structure; receiving input to modify the

selected custom parameter; and storing the modified custom parameter without

changing a default parameter corresponding to the modified custom parameter" (column

5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "representing configuration information

associated with at least one component within a clustered system".

However, Gudjonsson discloses "representing configuration information

associated with at least one component within a clustered system" (column 18, lines 24-

28).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Gudjonsson because using the steps of "representing configuration information

associated with at least one component within a clustered system" would have given

those skilled in the art the tools to improve the invention by making information available

and configurable centrally. This gives the user the advantage of having a simple way to

configure components.

Neither Rubert nor Gudjonsson explicitly indicate "and selectively updating the

parameters included in the property sheet in response to replacing of a component."

However, Block discloses "and selectively updating the parameters included in

the property sheet in response to replacing of a component" (change cluster resource

services and parameter modifation, column 7, lines 52-62).

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Gudjonsson and Block because using the steps of "and selectively updating the

parameters included in the property sheet in response to replacing of a component"
would have given those skilled in the art the tools to improve the invention by allowing
reconfiguration without taking a node offline. This gives the user the advantage of
having more uptime of resources.

9.   Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Patrizio et al.
('Patrizio' hereinafter) (Patent Number 7,047,497) and further in view of Tanner et al.
('Tanner' hereinafter) (Publication Number 2005/0114315).

As per claim 3,

Neither Rubert nor Patrizio explicitly indicate "the user interface comprises: a first
dialog box to display contents of the property sheet data structure, the first dialog box
including a plurality of entry rows, the entry rows including a first column to display
names of corresponding properties, a second column to display configuration
parameters associated with the corresponding properties and a third column to indicate
if the configuration parameters are default or custom parameters; and a second dialog
box to receive input to modify a custom parameter".

However, Tanner discloses "the user interface comprises: a first dialog box to
display contents of the property sheet data structure, the first dialog box including a
plurality of entry rows, the entry rows including a first column to display names of

corresponding properties, a second column to display configuration parameters

associated with the corresponding properties and a third column to indicate if the

configuration parameters are default or custom parameters; and a second dialog box to

receive input to modify a custom parameter" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Patrizio and Tanner because using the steps of "the user interface comprises: a first

dialog box to display contents of the property sheet data structure, the first dialog box

including a plurality of entry rows, the entry rows including a first column to display

names of corresponding properties, a second column to display configuration

parameters associated with the corresponding properties and a third column to indicate

if the configuration parameters are default or custom parameters; and a second dialog

box to receive input to modify a custom parameter" would have given those skilled in

the art the tools to improve the invention by avoiding errors when entering data. This

gives the user the advantage of having a standardized entry application.

As per claim 4,

Neither Rubert nor Patrizio explicitly indicate "the second dialog box further

includes a name field to display a name of a corresponding property and a default field

to display a default configuration parameter associated with the corresponding

property".

However, Tanner discloses "the second dialog box further includes a name field

to display a name of a corresponding property and a default field to display a default

configuration parameter associated with the corresponding property" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>,

<u>Patrizio</u> and <u>Tanner</u> because using the steps of "the second dialog box further includes

a name field to display a name of a corresponding property and a default field to display

a default configuration parameter associated with the corresponding property" would

have given those skilled in the art the tools to improve the invention by avoiding errors

when entering data. This gives the user the advantage of having a standardized entry

application.

As per claim 5,

Neither <u>Rubert</u> nor <u>Patrizio</u> explicitly indicate "the second dialog box further

includes a data type field to display the data type associated with corresponding

property".

However, <u>Tanner</u> discloses "the second dialog box further includes a data type

field to display the data type associated with corresponding property" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>,

<u>Patrizio</u> and <u>Tanner</u> because using the steps of "the second dialog box further includes

a data type field to display the data type associated with corresponding property" would

have given those skilled in the art the tools to improve the invention by avoiding errors

when entering data. This gives the user the advantage of having a standardized entry

application.

10.   Claims 20-25,28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Gudjonsson et

al. ('Gudjonsson' hereinafter) (Patent Number 6,564,261) further in view of Block et al.

('Block' hereinafter) (Patent Number 6,983,324) and further in view of Tanner et al.

('Tanner' hereinafter) (Publication Number 2005/0114315).

    As per claim 20,

    Neither Rubert nor Gudjonsson nor Block explicitly indicate "means for receiving

input to select between the default parameter and the custom parameter to be applied

to a property included in the property sheet".

    However, Tanner discloses "means for receiving input to select between the

default parameter and the custom parameter to be applied to a property included in the

property sheet" (paragraphs [0065]-[0066]).

    It would have been obvious to one of ordinary skill in the art to combine Rubert,

Gudjonsson, Block and Tanner because using the steps of "means for receiving input to

select between the default parameter and the custom parameter to be applied to a

property included in the property sheet" would have given those skilled in the art the

tools to improve the invention by avoiding errors when entering data. This gives the user

the advantage of having a standardized entry application.

As per claim 21, <u>Rubert</u> teaches

"the means for displaying further comprises: means for indicating if a

configuration parameter displayed by the means for displaying is a default parameter or

a custom parameter" (column 5, line 55 through column 6, line 6).

As per claim 22,

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "means for

selectively updating the parameters included in the property sheet in response to

changing of a component".

However, <u>Tanner</u> discloses "means for selectively updating the parameters

included in the property sheet in response to changing of a component" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>,

<u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "means for selectively

updating the parameters included in the property sheet in response to changing of a

component" would have given those skilled in the art the tools to improve the invention

by avoiding errors when entering data. This gives the user the advantage of having a

standardized entry application.

As per claim 23,

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component".

However, <u>Tanner</u> discloses "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>, <u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 24, <u>Rubert</u> teaches

"means for determining if a custom parameter included in the property sheet is valid with the replaced component" (column 5, line 55 through column 6, line 6).

As per claim 25, <u>Rubert</u> teaches

"means for deselecting a custom parameter in response to the custom parameter being not valid with the replaced component" (column 6, lines 1-6).

As per claim 28, <u>Rubert</u> teaches

"determining a custom parameter included in the property sheet data structure is valid with the replaced component" (column 5, line 55 through column 6, line 6);

"and deselecting an applied custom parameter in response to the applied custom parameter being not valid with the replaced component" (column 6, lines 1-6).

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "the operations performed by the processor further comprise: automatically updating a default parameter included in the property sheet data structure with a different default parameter associated with a corresponding property of the replaced component".

However, <u>Tanner</u> discloses "the operations performed by the processor further comprise: automatically updating a default parameter included in the property sheet data structure with a different default parameter associated with a corresponding property of the replaced component" (paragraphs [0065]-[0066]);

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>, <u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "the operations performed by the processor further comprise: automatically updating a default parameter included in the property sheet data structure with a different default parameter associated with a corresponding property of the replaced component" would have given those skilled in

the art the tools to improve the invention by avoiding errors when entering data. This

gives the user the advantage of having a standardized entry application.

Response to Arguments

11.   Applicant's arguments with respect to claims 1-5,16-21,23-26,28 have been

considered but are moot in view of the new ground(s) of rejection.

With respect to Applicants reply to Prior Art rejections, Applicant should submit

an argument under the heading "Remarks" pointing out disagreements with the

examiner's contentions. Applicant must also discuss the references applied against the

claims, explaining how the claims avoid the references or distinguish from them.

Conclusion

12.   The prior art made of record, listed on form PTO-892, and not relied upon is

considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-

7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Jay Morrison   Tim Vo
TC2100   TC2100